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5           Attorneys for USACM Liquidating Trust

6           **UNITED STATES BANKRUPTCY COURT**  
 7           **DISTRICT OF NEVADA**

8           In re:

9           USA COMMERCIAL MORTGAGE  
 COMPANY,

10           Debtor.

11           Case No. BK-S-06-10725-LBR

12           CHAPTER 11

13           **NOTICE OF HEARING RE JOINT  
 MOTION TO AMEND COURT'S  
 ORDER GRANTING MOTION TO  
 ALLOW PROOFS OF CLAIM  
 BASED UPON INVESTMENT IN  
 THE AMESBURY HATTERS PONT  
 LOAN AS TO PROOF OF CLAIM  
 NO. 10725-00474 BY FRANK  
 DAVENPORT**

14           Date of Hearing: April 19, 2012  
 15           Time of Hearing: 10:00 a.m.  
 16           Estimated Time for Hearing: 10 minutes

17           **THE USACM LIQUIDATING TRUST FILED A MOTION TO AMEND  
 18           COURT'S ORDER GRANTING MOTION TO ALLOW PROOFS OF CLAIM  
 19           BASED UPON INVESTMENT IN THE AMESBURY HATTERS POINT LOAN AS  
 20           TO FRANK DAVENPORT'S PROOF OF CLAIM TO REVISE THE AMOUNT OF  
 21           FRANK DAVENPORT'S ALLOWED CLAIM.**

22           **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY  
 23           COURT TO DISCUSS THE MERITS OF YOUR CLAIM. ADDRESS QUESTIONS  
 24           REGARDING THE CLAIM TO UNDERSIGNED COUNSEL, JOHN  
 25           HINDERAKER (520-629-4430).**

26           **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and  
 through its counsel, has filed its Motion to Amend Court's Orders Granting Motion to



1 Allow Proofs of Claim Based Upon Investment in the Amesbury Hatters Point Loan as to  
2 Frank Davenport's Proof of Claim (the "Motion") to increase the allowed amount of  
3 Frank Davenport's Proof of Claim No. 10725-00474 from \$742.26 to \$25,000.

4 **NOTICE IS FURTHER GIVEN** that the hearing on the Motion will be held  
5 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal  
6 Building, 300 Las Vegas Blvd. South, 3<sup>rd</sup> Floor, Courtroom No. 1, Las Vegas, Nevada on  
7 **April 19, 2012, at the hour of 10:00 a.m.**

8 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON APRIL 19,**  
9 **2012, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND**  
10 **SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE**  
11 **HEARD ON THAT DATE.**

12 **NOTICE IS FURTHER GIVEN** that pursuant to Local Rule 9014(d), any  
13 response to the Motion must be filed and service must be completed no later than **fourteen**  
14 **(14) days** preceding the hearing date. The opposition must set forth all relevant facts and  
15 any relevant legal authority.

16 If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading  
17 with the Court. You *must* also serve your written response on the person who sent you this notice.

18 If you do not file a written response with the Court, or if you do not serve your written  
19 response on the person who sent you this notice, then:

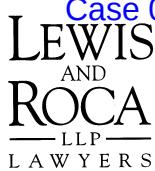
- 20 • The Court may *refuse to allow you to speak* at the scheduled hearing; and  
21 • The Court may *rule against you* and grant the Motion without formally calling the  
22 matter at the hearing.

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1 Dated: March 13, 2012.

2 LEWIS AND ROCA LLP

3  
4 By /s/ John Hinderaker (#18024)  
5 Robert M. Charles Jr. NV 6593  
John C. Hinderaker, AZ 18024 (*pro hac vice*)  
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8  
9 Attorneys for the USACM Liquidating Trust

10 Copy of the foregoing mailed by first class  
Postage prepaid U.S. Mail on  
11 March 13, 2012 to:

12 Frank Davenport  
13 3372 Narod St.,  
14 Las Vegas, NV 89121-4218

15 LEWIS AND ROCA LLP

16 /s/ Marie Mancino  
17 Marie Mancino

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